

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BLUEFIELD

NOEL ROMERO-ESPINAL,

Plaintiff,

v.

CIVIL ACTION NO. 1:20-00760

C. MARUKA, Warden,

Defendant.

MEMORANDUM OPINION AND ORDER

By Standing Order, this action was referred to United States Magistrate Judge Dwane L. Tinsley for submission of findings and recommendation regarding disposition pursuant to 28 U.S.C.A. § 636(b)(1)(B). Magistrate Judge Tinsley submitted to the court his Findings and Recommendation on April 6, 2022, in which he recommended that the district court dismiss plaintiff's case for failure to prosecute.

In accordance with the provisions of 28 U.S.C.A. § 636(b), the parties were allotted fourteen days, plus three mailing days, in which to file any objections to Magistrate Judge Tinsley's Findings and Recommendation. The failure of any party to file such objections constitutes a waiver of such party's right to a de novo review by this court. Snyder v. Ridenour, 889 F.2d 1363 (4th Cir. 1989).


The parties failed to file any objections to the Magistrate Judge's Findings and Recommendation within the allotted time period. Having reviewed the Findings and Recommendation filed by

Magistrate Judge Tinsley, the court adopts the findings and recommendations contained therein. Accordingly, the court hereby **DISMISSES** this matter for failure to prosecute, pursuant to Federal Rule of Civil Procedure 41(b), and directs the Clerk to remove this case from the court's active docket.

The Clerk is directed to forward a copy of this Memorandum Opinion and Order to plaintiff, pro se, and counsel of record.

IT IS SO ORDERED this 8th day of July, 2022.

ENTER:

A handwritten signature in black ink, reading "David A. Faber", is written over a horizontal line.

David A. Faber

Senior United States District Judge